

Minutes of the regular Proctor City Council meeting held on January 5, 2015 in the Community Center Council Chambers

Mayor David Brenna called the meeting to order at 6:03 p.m.

MEMBERS PRESENT: Councilors Jake Benson, Shawn McGovern, Jim Schwarzbauer, Travis White and Mayor Dave Brenna

OTHERS PRESENT: Tim Peterson, Deputy Clerk; Tammie Aanonsen; John Bray, City Attorney; Jim Aird, Midway Township; Chris Brenna; Troy DeWall, Fire Department; Dan Buerskin

ADMINISTER OATH OF OFFICE TO MAYOR AND COUNCILORS

Peterson gave the Oaths of Office to Mayor Brenna and Councilors Schwarzbauer and Benson.

APPROVAL OF MINUTES

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the December 15, 2014 Proctor City Council meeting minutes.

APPROVAL OF AGENDA

Benson added: 70: Resolution

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the Agenda of January 5, 2015 as amended.

*APPROVAL OF CONSENT AGENDA (one Council motion can accept all items listed under this agenda, plus Council can pull any individual items out of this consent agenda and discuss/act on item separately - thus leaving others to be approved via consent agenda action) - bold print denotes need for Council action

Benson asked to pull off 2A & 3E

Motion by Schwarzbauer, seconded by Brenna and carried: To approve the Consent Agenda as amended.

*1. COMMUNICATIONS

2. PLANNING & ZONING DEPARTMENT MATTER

A. Storage Containers ó P&Z Meeting Minutes of 12/15/14

Benson stated that he would appreciate reviewing the recommendation from Planning and Zoning about the storage containers. Bray stated that the agreement from P&Z was those that had a storage container as of January 1, 2015, were able to keep them on their property. All new storage containers (except those in Industrial Zones) would require a conditional use permit.

McGovern asked Bray to bring the list of properties that currently house a storage container and a copy of the Ordinance for council review.

***3. CLERK ADVISES COUNCIL**

- A. Government Fund payroll period ended 12/14/14; Liquor Fund payroll period ended 12/1/14 (attached);
- B. Reminder ó January 19, 2015 City Offices are closed in Observance of Martin Luther King Jr. Day ó regular City Council meeting to be held Tuesday, January 20, 2015 at **3:00pm**
- C. Criminal Damage to Property
- D. JOYRIDE ó City of Proctor will not be Fiscal Agent
- E. Correspondence from Billie and Woody Walters dated 12/18/14

Benson suggested that this may be an opportunity for compromise. Peterson assured the council that the city staff has responded to Mr. Walters. McGovern asked if there was staff recommendation. Peterson said that PUC is handling the process and they have offered Mr. Walters options. The consensus of the council was for City Staff to write a letter to Mr. Walters.

***4. COMMITTEE REPORTS**

5. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Shannon Sweeney from KCPRO-East thanked the city and council for their sponsorship. She explained that there was a better turnout than expected and that the next race is January 24, 2015

with the awards banquet at The Powerhouse. She reminded the council that the end of the year banquet will be March 21, 2015 at Blackwoods in Proctor.

6. UNFINISHED BUSINESS

A. Trail Planning Grant

McGovern stated that this is moving forward. There is a public hearing on January 14, 2015 at Hermantown City Hall at 5:30pm.

B. In service for Council and Department Heads - (12:30pm on Jan. 15 @ Blackwoods)

Benson stated that if all councilors cannot attend, this in-service will lose its dynamics. The councilors reviewed alternative dates for the in-service without finding one that all could attend. There was a consensus to cancel the inservice.

C. Agreement for Building Official Consulting Services with the City of Hermantown

Peterson reported that he is waiting to receive liability insurance costs.

7. NEW BUSINESS

A. City Ordinance 101-01 Subd. 3 ó first meeting of year designations

1. Depository of City Funds:

First National Bank, Proctor
Proctor Federal Credit Union
MN 4M Fund
RBC Dain Rauscher, Floridian Custodial Services
RBC Capital Markets

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the list of Depository of City Funds as provided.

2. Official Newspaper ó Proctor Journal

Motion by Schwarzbauer, seconded by Brenna (Benson abstained): To approve the Proctor Journal as the Official Newspaper of Proctor.

3. Building Officials ó Jay Boysen

McGovern stated that Boysen is a Building Inspector, not a Building Official. Bray stated that Boysen can be a temporary Building Official.

Motion by McGovern, seconded by Brenna and carried: To approve Jay Boysen as temporary Building Official for the City of Proctor.

4. Broker Certifications ó RBC Capital Markets (City & PUC CDs);
Northland Securities: RBC; Dain Rauscher Duluth for Fire Relief;

Motion by McGovern, seconded by Benson and carried: To approve the list of Broker Certifications as presented.

5. Fire Department Officers ó appointed by Fire Department and to be confirmed by City Council

Motion by McGovern, seconded by Brenna and carried: To approve the list of Fire Department Officers as presented.

6. ACTS City Representatives

Motion by Brenna, seconded by McGovern and carried: To approve Schwarzbauer as ACTS City Representative and Benson as alternate.

7. MIC City Representative

Motion by Schwarzbauer, seconded by Benson and carried: To approve Brenna as MIC City Representative and McGovern as alternate.

8. Deputy Mayor appointment

McGovern stated that he has enjoyed his time as Deputy Mayor for the City.

Motion by Schwarzbauer, seconded by Brenna and carried: To approve McGovern as Deputy Mayor.

- B. Approval of 2015 Public Utility Commission (PUC) Budget and Rate Increase (Peterson)

Peterson stated that it is up to PUC to set water rates and set their budget without approval from City Council. McGovern suggested a joint meeting with PUC the first meeting of February 2015.

- C. 2015 Tourism Budget

Peterson stated that at the last City Council meeting this budget was not approved. McGovern recommended keeping the budget as is. Schwarzbauer asked if the city could provide information about the total amount of remaining unallocated funds.

Motion by Benson, seconded by Brenna and carried (4-1, White opposed): To approve the Tourism budget of \$70,000 as presented.

D. Approval of 2014 Budget and 2014 Revenue

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the 2014 Expenditures of \$7,087,850.72 and the 2014 Revenue of \$7,239,966.00.

E. Approval of 2015 Budget and 2015 Revenue

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the 2015 Expenditures of \$7,548,682.67 and the 2015 Revenue of \$7,619,479.23.

F. Makeup of Tourism Committee (Rohweder's recommendation)

Peterson explained the statement from the administrator that was included in the packet reducing the total number of members from 13 to 9. This would eliminate the members representing Food & Beverage, one Chamber member, school board member, and a member at large.

Motion by McGovern, seconded by Schwarzbauer and carried: To accept the recommendation of the new Tourism Committee makeup from 13 members to 9 as of January 1, 2105.

G. City of Proctor New Housing Incentive Program ó Administrative wording Changes

Peterson said at the last council meeting they discussed the idea of changing the wording of this 3% Rebate. He said that the new wording would include major renovation or additions to existing homes if the value of the improvements exceeds 65% of the original value of the property.

Motion by Benson, seconded by McGovern and carried (4-1, White opposed): To approve the administrative wording changes to the Proctor New Housing Incentive Program to include improvements retroactively to October 1, 2012.

H. Blackwoods Blizzard Tour request for Tourism Funds

Brenna stated that the request is to pay for police officers at this event as specified in the application.

Motion by Benson, seconded by Schwarzbauer and carried: To accept the request by Blackwoods Blizzard Tour in the amount of \$400.

I. 415 S. Boundary Avenue ó Possible Reimbursement of Expenses

Peterson stated that this property had a sewer line repair in 2014 and months later there were issues with the sewer. Peterson said in fact the issue was the fiber line that went through in that exact location, and he is recommending attempting to obtain reimbursement from the company that placed the fiber line.

Motion by Benson, seconded by Schwarzbauer and carried: To authorize city staff to contact Mlaskoch Excavating to obtain reimbursement.

J. Lease Agreement between the City of Proctor and South St. Louis County Fair Association

Peterson stated that this the same as the last agreement between the City of Proctor and the South St. Louis County Fair Association.

Motion by Benson, seconded by Schwarzbauer and carried: To approve the Lease Agreement between the City of Proctor and South St. Louis County Fair Association as presented.

K. Agreement for Professional Services between The City of Proctor and the South St. Louis Soil & Water Conservation District

Peterson stated that this also is the same as the prior agreement.

Motion by Benson, seconded by Schwarzbauer and carried: To approve the Agreement for Professional Services between The City of Proctor and the South St. Louis Soil & Water Conservation District

L. Request to Vacate partial road ROW

Dan Buerskin, 2524 W. Maple Grove Road was there representing Goldberg Properties. Peterson said that the councilors packet contained a document requesting the City to vacate the ROW and maps showing Lot 22 in Kingbury. Peterson said that the property owner would not be able to place a driveway through the wetlands and ravine, so they are requesting utilities and a driveway off Almac Drive. Peterson said the City would own the land but give an easement for the driveway.

Motion by Benson, seconded by Schwarzbauer and carried: To provide an easement off of Almac Drive contingent upon the rules set up by Attorney Bray.

M. Request for additional Internet Connection

Peterson referenced the email included in the packet from TC Leveille requesting to add DSL high speed internet to our existing connection at City Hall. Peterson said that this would be beneficial for larger services and security. He said that the city is waiting for a price quote from Mediacom. Item will be tabled until the City receives an additional quote for services.

N. Golf Board Contract

Peterson said that this notice is informational to the Council. The current contract expires in February 2015. A member from the Golf Board will be meeting with the negotiating committee next week.

O. Resolution ó 2015 Capital Appropriation Request for a Multi-Purpose Event Center

Benson stated that this is being presented to council with a recommendation to approve before the upcoming school board meeting.

Brenna stated that he does not support this resolution because dollar figures are not included. He doesn't feel that the city can afford this, and he is concerned because the city is out of the loop in this discussion.

Motion by Benson, seconded by McGovern and carried (3-2, White and Brenna opposed): To approve the adoption of Resolution ó 2015 Capital Appropriation Request for a Multi-Purpose Event Center.

8. LABOR AND NEGOTIATIONS ISSUES

A. Hiring of additional Fire Fighter

Troy DeWall, former fire chief, stated that this applicant is a LSC College Student and very well qualified. The applicant is an EMT and also trained and ready to start. DeWall said that the Fire Department Hiring Committee recommends hiring this applicant.

Motion by Benson, seconded by McGovern and carried: To approve the hiring of Devin Shaw as a Fire Fighter for the City of Proctor.

McGovern asked DeWall to notify the Personnel Committee with additional hirings.

MEMBER CONCERNS

Peterson reminded the council of the upcoming meeting change to Tuesday, January 20, 2015 3pm.

BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried (3-2, White and Benson ó no): To approve the General Fund bills in the amount of \$107,554.46. Roll call vote: Schwarzbauer ó yes, White ó no; Benson ó no; McGovern ó yes; Brenna ó yes.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White ó no): To approve the Liquor Fund bills in the amount of \$33,055.99. Roll call vote: Schwarzbauer ó yes, White ó no; Benson ó yes; McGovern ó yes; Brenna ó yes.

ADJOURNMENT

Motion by White, seconded by Brenna and carried: To adjourn the City Council Meeting of January 5, 2015 at 8:25pm.